

REFERENCE TITLE: employer sanctions; technical correction

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
First Regular Session  
2009

# **HB 2585**

Introduced by  
Representatives Konopnicki, Lopes

AN ACT

AMENDING SECTION 23-214, ARIZONA REVISED STATUTES; RELATING TO EMPLOYMENT OF UNAUTHORIZED ALIENS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 23-214, Arizona Revised Statutes, is amended to  
3 read:

4       23-214. Verification of employment eligibility: e-verify  
5               program: economic development incentives: list of  
6               registered employers

7       A. After December 31, 2007, every employer, after hiring an employee,  
8 shall verify the employment eligibility of the employee through the e-verify  
9 program.

10     B. In addition to any other requirement for an employer to receive an  
11 economic development incentive from a government entity, the employer shall  
12 register with and participate in the e-verify program. Before receiving the  
13 economic development incentive, the employer shall provide proof to the  
14 government entity that the employer is registered with and is participating  
15 in the e-verify program. If the government entity determines that the  
16 employer is not complying with this subsection, the government entity shall  
17 notify the employer by certified mail of the government entity's  
18 determination of noncompliance and the employer's right to appeal the  
19 determination. On a final determination of noncompliance, the employer shall  
20 repay all monies received as an economic development incentive to the  
21 government entity within thirty days of the final determination. For the  
22 purposes of this subsection:

23       1. "Economic development incentive" means any grant, loan or  
24 performance-based incentive from any government entity that is awarded after  
25 September 30, 2008. Economic development incentive does not include any tax  
26 provision under title 42 or 43.

27       2. "Government entity" means this state and any political subdivision  
28 of this state that receives and uses tax revenues.

29       C. Every three months the attorney general shall request from the  
30 United States department of homeland security a list of employers from this  
31 state that are registered with the e-verify program. On receipt of the list  
32 of employers, the attorney general shall ~~make PUBLISH~~ the list ~~available~~ on  
33 the attorney general's website.